CERTIFICATE OF ELECTRONIC TRANSMISSION 37 C.F.R. § 1.8 I hereby certify that this correspondence is being electronically filed with the Anited States Patent and Trademark Office via EFS-Web on the date below: March 19, 2009 Stev#n Highlander Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marco CATTARUZZA and

Markus HECKER

Serial No.: 10/527,785

Filed: March 11, 2005

For: FUNCTIONAL CORRECTION OF THE

786C/T-VARIANCE OF THE HUMAN

eNOS-GENE

Group Art Unit:

1635

Examiner: Louis Wollenberger

Atty. Dkt. No.: DEBE:053US

Confirmation No.: 1068

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. §1.116

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Commissioner:

This paper is submitted in response to the Office Action mailed on January 22, 2009, for which the date for response is April 22, 2009. No other fees are believed due; however, should any applicants' payment information be missing, or any other fees be required, please consider this paragraph such a request and authorization to withdraw the appropriate fees under 37 C.F.R. §§ 1.16 to 1.21 from Fulbright & Jaworski L.L.P. Account No.: 50-1212/DEBE:053US.

A Listing of Claims begin at page 3 of this response; Remarks begin at page 4.